Filed 08/01/2003

Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** (Use several sheets if necessary)	Atty. Docket No. A34586 – 070050.1668	Serial No. 09/648,310
	Applicant Fisher *et al.*	
	Filing Date August 25, 2000	Group 1642
	Examiner Yu, M.	

U.S. PATENT DOCUMENTS

*Exam. Init.	No.		Document No.	Date	Name	Class	Subclass	Filing Date if Appro.
my	3.		6,100,074	08/16/2001	Fisher	536	23.1	03/31/1998
	4.		6,146,887	11/14/2000	Fisher	435	252.3	03/21/1997
	9.		5,882,874	03/16/1999	Fisher	435	6	02/27/1998
↓	19.		5,399,346	03/21/1995	Anderson *et al.*	424	93.21	03/30/1994

FOREIGN PATENT DOCUMENTS

*Exam. Init.	No.		Document No.	Date	Country	Class	Subclass	Translation Yes / No
my	1.		WO 02/08242	31.01.2002	Int'l WIPO	C07H	21/04	
	2.		WO 01/46386	28.06.2001	Int'l WIPO	C12N	1/20	
	6.		WO 99/49898	07.10.1999	Int'l WIPO	A61K	48/00	
	7.		WO 99/43844	02.09.1999	Int'l WIPO	C12P	21/02	
	12.		WO 98/42315	01.10.1998	Int'l WIPO	A61K	9/127	
↓	35.		WO 90/11092	04.10.1990	Int'l WIPO	A61K	48/00	

NY02:443253.1

Examiner Mirsoli Yu Date Considered 6/17/04

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** **(Use several sheets if necessary)**	Atty. Docket No. A34586 – 070050.1668	Serial No. 09/648,310
	Applicant Fisher *et al.*	
	Filing Date August 25, 2000	Group 1642
	Examiner Yu, M.	

*Exam. Init.	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
	5.	Gopalkrishnan RV, Christiansen KA, Goldstein NI, DePinho RA, Fisher PB (1999). Use of the human EF-1alpha promoter for expression can significantly increase success in establishing stable cell lines with consistent expression: a study using the tetracycline-inducible system in human cancer cells. Nucleic Acids Res 27:4775-4782.
	8.	Su ZZ, Goldstein NI, Jiang H, Wang MN, Duigou GJ, Young CS, Fisher PB (1999). PEG-3, a nontransforming cancer progression gene, is a positive regulator of cancer aggressiveness and angiogenesis. Proc Natl Acad Sci USA 96:15115-15120.
	10.	Ye M, Zhang QH, Zhou J, Shen Y, Wu XY, Guan ZQ, Wang L, Fan HY, Mao YF, Dai M, Huang QH, Chen SJ, Chen Z (1999). Homo sapiens HSPC280 mRNA. GenBank Accession No. AF161398. May 14, 1999.
	11.	Fisher PB (1998). PSGen13. dbEST ID No. 1903240. GenBank Accession No. AI144570. November 23, 1998.
	13.	Kang DC, La France R, Su ZZ, Fisher PB (1998). Reciprocal subtraction differential RNA display (RSDD): an efficient and rapid procedure for isolating differentially expressed gene sequences. Proc. Natl. Acad. Sci. USA 95:13788-13793.
	14.	Zhang QH, Yu Y, Zhang S, Wei H, Zhou G, Ouyanfg S, Luo L, Bi J, Liu M, He F (1998). Homo sapiens PRO2013 mRNA. GenBank Accession No. AF116682. December 24, 1998.
	15.	Strausberg R (1997). Hypothetical 18.3 kDa Protein. dbEST ID No. 3155305. EST wu69a04.x1. IMAGE Clone ID No. 2525262. GenBank Accession No. AW024795.

NY02:443253.1

Examiner Mesook Y Date Considered 6-17-04

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** **(Use several sheets if necessary)**	Atty. Docket No. A34586 – 070050.1668	Serial No. 09/648,310
	Applicant Fisher *et al.*	
	Filing Date August 25, 2000	Group 1642
	Examiner Yu, M.	

*Exam. Init.	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
my	16.	Su ZZ, Shi Y, Fisher PB (1997). Subtraction hybridization identifies a progression elevated gene PEG-3 with sequence homology to a growth arrest and DNA damage inducible gene. Proc. Natl. Acad. Sci. USA 94:9125-9130.
	17.	Jiang H, Su ZZ, Lin JJ, Goldstein NI, Young CS, Fisher PB (1996). The melanoma differentiation associated gene mda-7 suppresses cancer cell growth. Proc Natl Acad Sci USA 93:9160-9165.
	18.	Lee NH (1995). EST111677 derived from NGF-treated rat PC-12 cells. dbEST ID No. 295231. GenBank Accession No. H34607. July 19, 1995.
	20.	Knudson AG (1993). Antioncogenes and human cancer. Proc Natl Acad Sci USA 90:10914-10921.
	21.	Levine AJ (1993). The tumor suppressor genes. Annu Rev Biochem 62:623-651.
	22.	Reddy PG, Su ZZ, Fisher PB. In: Chromosome and Genetic Analysis, Methods in Molecular Genetics. Adolph KW, ed. Vol. I. Academic Press. 1993. pp. 68-102.
	23.	Vogelstein B, Kinzler KW (1993). The multistep nature of cancer. Trends Genet 9:138-141.
	24.	Anderson WF (1992). The June RAC meeting. Hum. Gene Ther. 3:459-460.
	25.	Berkner KL (1992). Expression of heterologous sequences in adenoviral vectors. Curr. Top. Microbiol. Immunol. 158:39-66.
	26.	Bishop JM (1991). Molecular themes in oncogenesis. Cell 64:235-248.
	27.	Canonico AE, Conary JT, Christman BW, Meyrick BO, Brigham KL (1991). Expression of a CMV promoter driven human α-1 antitrypsin gene in cultured lung endothelial cells and in the lungs of rabbits. Clin. Res. 39:219A (abstract).
	28.	Culver KW, Anderson WF, Blaese RM (1991). Lymphocyte gene therapy. Hum. Gene Ther. 2:107-109.

NY02:443253.1

Examiner Meook Y Date Considered 6-17-04

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** (Use several sheets if necessary)	Atty. Docket No. A34586 – 070050.1668	Serial No. 09/648,310
	Applicant Fisher *et al.*	
	Filing Date August 25, 2000	Group 1642
	Examiner Yu, M.	

*Exam. Init.	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
MY	29.	Hazinski TA, Ladd PA, DeMatteo CA (1991). Localization and induced expression of fusion genes in the rat lung. Am. J. Respir. Cell Mol. Biol. 4:206-209.
	30.	Kaufman, RJ (1991). Vectors used for expression in mammalian cells. Meth. Enzymol. 185:487-511.
	31.	Rosenfeld MA, Siegfried W, Yoshimura K, Yoneyama K, Fukayama M, Stier LE, Paakko PK, Gilardi P, Stratford-Perricaudet LD, Perricaudet M, *et al.* (1991). Adenovirus-mediated transfer of a recombinant alpha 1-antitrypsin gene to the lung epithelium in vivo. Science 252:431-434.
	32.	Anderson WF, Blaese RM, Culver K (1990). The ADA human gene therapy clinical protocol: Points to Consider response with clinical protocol, July 6, 1990. Hum. Gene Ther. 1:331-362.
	33.	Duigou GJ, Babiss LE, Iman DS, Shay JW, Fisher PB (1990). Suppression of the progression phenotype in somatic cell hybrids occurs in the absence of altered adenovirus type 5 gene expression. Mol Cell Biol 10:2027-2034.
	34.	Geller AI, Keyomarsi K, Bryan J, Pardee ANTIBODY (1990). An efficient deletion mutant packaging system for a defective herpes simplex virus vectors: potential applications to human gene therapy and neuronal physiology. Proc. Natl. Acad. Sci. USA 87:8950-8954.
	36.	Nabel EG, Plautz G, Nabel GJ (1990). Site-specific gene expression in vivo by direct gene transfer into the arterial wall. Science 249:1285-1288.
	37.	Wolff JA, Malone RW, Williams P, Chong W, Acsadi G, Jani A, Felgner PL (1990). Direct gene transfer into mouse muscle in vivo. Science 247:1465-1468.
	38.	Brigham KL, Meyrick B, Christman B, Magnuson M, King G, Berry LC Jr (1989). In vivo transfection of murine lungs with a functioning prokaryotic gene using a liposome vehicle. Am. J. Med. Sci. 298:278-281.
	39.	Duigou GJ, Babiss LE, Fisher PB (1989). Suppression of the progression phenotype by 5-azacytidine in rat embryo cells doubly transformed by type 5 adenovirus and the Ha-*ras* oncogene. Annals NY Acad Sci 567:302-306.

NY02:443253.1

Examiner Mi Yu Date Considered 6-17-04

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** (Use several sheets if necessary)	Atty. Docket No. A34586 – 070050.1668	Serial No. 09/648,310
	Applicant Fisher *et al.*	
	Filing Date August 25, 2000	Group 1642
	Examiner Yu, M.	

*Exam. Init.	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
my	40.	Felgner PL, Holm M, Chan H (1989). Cationic liposome mediated transfection. Proc. West. Pharmacol. Soc. 32: 115-121.
	41.	Berkner KL (1988). Development of adenovirus vectors for the expression of heterologous genes. BioTechniques 6:616-629.
	42.	DePamphilis ML, Herman SA, Martinez-Salas E, Chalifour LE, Wirak DO, Cupo DY, Miranda M (1988). Microinjecting DNA into mouse ova to study DNA replication and gene expression and to produce transgenic animals. BioTechniques 6:662-680.
	43.	Guild BC, Finer MH, Housman DE, Mulligan RC (1988). Development of retrovirus vectors useful for expressing genes in cultured murine embryonic cells and hematopoietic cells in vivo. J Virol. 62:3795-3801.
	44.	McGrory WJ, Bautista DS, Graham FL (1988). A simple technique for the rescue of early region I mutations into infectious human adenovirus type 5. Virology 163(2):614-617.
	45.	Felgner PL, Gadek TR, Holm M, Roman R, Chan HW, Wenz M, Northrop JP, Ringold GM, Danielsen M (1987). Lipofection: a highly efficient, lipid-mediated DNA-transfection procedure. Proc. Natl. Acad. Sci. USA 84:7413-7417.
	46.	Ghosh-Choudhury G, Graham FL (1987). Stable transfer of a mouse dihydrofolate reductase gene into a deficient cell line using human adenovirus vector. Biochem. Biophys. Res. Commun. 147(3):964-973.
	47.	Rossi P, de Crombrugghe B (1987). Identification of a cell-specific transcriptional enhancer in the first intron of the mouse alpha 2 (type I) collagen gene. Proc. Natl. Acad. Sci. USA 84:5590-5594.
	48.	Ghosh-Choudhury G, Haj-Ahmad Y, Brinkley P, Rudy J, Graham FL (1986). Human adenovirus cloning vectors based on infectious bacterial plasmids. Gene 50:161-171.

NY02:443253.1

Examiner Mussat Jr Date Considered 6-17-04

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** **(Use several sheets if necessary)**	Atty. Docket No. A34586 – 070050.1668	Serial No. 09/648,310
	Applicant Fisher *et al.*	
	Filing Date August 25, 2000	Group 1642
	Examiner Yu, M.	

*Exam. Init.	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
MY	49.	Haj-Ahmad Y, Graham FL (1986). Development of a helper-independent human adenovirus vector and its use in the transfer of the herpes simplex virus thymidine kinase gene. J. Virol. 57:267-274.
	50.	Hock RA, Miller AD (1986). Retrovirus mediated transfer and expression of drug resistance genes in human hemopoietic progenitor cells. Nature 320:275-277.
	51.	Stavridis JC, Deliconstantinos G, Psallidopoulos MC, Armenakas NA, Hadjiminas DJ, Hadjiminas J (1986). Construction of trans ferrin-coated liposomes for in vivo transport of exogenous DNA to bone marrow erythroblasts in rabbits. Exp. Cell Res. 164:568-572.
	52.	Wigand R, Adrian T (1986). Classification and epidemiology of adenoviruses. In: Adenovirus DNA. Doerfler W, ed. Martinus Nijhoff Pub., Boston. pp. 408-441.
	53.	Babiss LE, Zimmer SG, Fisher PB (1985). Reversibility of progression of the transformed phenotype in Ad5-transformed rat embryo cells. Science 228:1099-1101.
	54.	Kaufman RJ (1985). Identification of the component necessary for adenovirus translational control and their utilization in cDNA expression vectors. Proc. Natl. Acad. Sci. USA 82:689-693.
	55.	Schmidt A, Setoyama C, de Crombrugghe B (1985). Regulation of a collagen gene promoter by the product of viral mos oncogene. Nature 314:286-289.
	56.	Fisher PB (1984). Enhancement of viral transformation and expression of the transformed phenotype by tumor promoters. In: Mechanisms of Tumor Promotion, Volume III. Tumor Promotion and Cocarcinogenesis *In Vitro*. Slaga T, ed. CRC Press, Inc. 1984. pp. 57-123.
	57.	Van Doren K, Gluzman Y (1984). Efficient transformation of human fibroblasts by adenovirus-simian virus 40 recombinants. Mol. Cell. Biol. 4(8):1653-1656.
	58.	Berkner KL, Sharp PA (1983). Generation of adenovirus by transfection of plasmids. Nucleic Acids Res. 11(17):6003-6020.

NY02:443253.1

Examiner Mark Y Date Considered 6-17-04

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** **(Use several sheets if necessary)**	Atty. Docket No. A34586 -- 070050.1668	Serial No. 09/648,310
	Applicant Fisher *et al.*	
	Filing Date August 25, 2000	Group 1642
	Examiner Yu, M.	

*Exam. Init.	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
MY	59.	Capecchi MR, Luciw PA, Bishop JM, Varmus HE (1983). Location and function of retroviral and SV40 sequences that enhance biochemical transformation after microinjection of DNA. In: Enhancer and Eukaryotic Gene Expression. Gluzman Y, Shenk T, eds. Cold Spring Harbor Laboratories. pp. 101-102.
	60.	Jolly DJ, Esty AC, Subramani S, Friedmann T, Verma IM (1983). Elements in the long terminal repeat of murine retroviruses enhance stable transformation by thymidine kinase gene. Nucleic Acids Res. 11:1855-1872.
	61.	Smith GL, Mackett M, Moss B (1983). Infectious vaccinia virus recombinants that express hepatitis B virus surface antigens. Nature 302:490-495.
	62.	Panicali D, Paoletti E (1983). Construction of poxvirus as cloning vectors: Insertion of the thymidine kinase gene from herpes simplex virus into the DNA of infectious vaccine virus. Proc. Natl. Acad. Sci. USA 79:4927-4931.
	63.	Fisher PB, Babiss LE, Weinstein IB, Ginsberg HS (1982). Analysis of type 5 adenovirus transformation with a cloned rat embryo cell line (CREF). Proc Natl Acad Sci USA 79:3527-3531.
	64.	Gluzman Y, Reichl H, Solnick D (1982). Helper-free adenovirus type-5 vectors. In: Eukaryotic Viral Vectors. Gluzman Y, ed. Cold Spring Harbor Laboratories. pp. 187-192.
	65.	Gorman CM, Moffat LF, Howard BH (1982). Recombinant genomes which express chloramphenicol acetyltransferase in mammalian cells. Mol. Cell. Biol. 2(9):1044-1051.
	66.	Schaefer-Ridder M, Wang Y, Hofschneider PH (1982). Liposomes as gene carriers: Efficient transduction of mouse L cells by thymidine kinase gene. Science 215:166-168.
	67.	Banerji J, Rusconi S, Schaffner W (1981). Expression of a beta-globin gene is enhanced by remote SV40 DNA sequences. Cell 27:299-308.
V	68.	Breathnach R, Chambon P (1981). Organization and expression of eucaryotic split genes coding for proteins. Ann. Rev. Biochem. 50:349-383.

NY02:443253.1

Examiner Yu, M. Date Considered 6-17-04

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** **(Use several sheets if necessary)**	Atty. Docket No. A34586 – 070050.1668	Serial No. 09/648,310
	Applicant Fisher *et al.*	
	Filing Date August 25, 2000	Group 1642
	Examiner Yu, M.	

*Exam. Init.	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
MY	69.	Colbere-Garapin F, Horodniceanu F, Kourilsky P, Garapin AC (1981) A new dominant hybrid selective marker for higher eukaryotic cells. J. Mol. Biol. 150:1-14.
	70.	Mulligan RC, Berg P (1981). Selection for animal cells that express the Escherichia coli gene coding for xanthine-guanine phosphoribosyltransferase. Proc. Natl. Acad. Sci. USA 78:2072-2076.
	71.	Ringold G, Dieckmann B, Lee F (1981). Co-expression and amplification of dihydrofolate reductase cDNA and the Escherichia coli XGPRT gene in Chinese hamster ovary cells. J. Mol. Appl. Genet. 1:165-175.
	72.	Sarver N, Gruss P, Law MF, Khoury G, Howley PM (1981). Bovine papilloma virus DNA: a novel eukaryotic cloning vector. Mol. Cell Biol. 1:486-496.
	73.	Corden J, Wasylyk B, Buchwalder A, Sassone-Corsi P, Kedinger C, Chambon P (1980). Promoter sequences of eukaryotic protein-coding genes. Science 209:1406-1414.
	74.	Urlaub G, Chasin LA (1980). Isolation of Chinese hamster cell mutants deficient in dihydrofolate reductase activity. Proc. Natl. Acad. Sci. USA 77:4216-4220.
	75.	Fisher PB, Bozzone JH, Weinstein IB (1979). Tumor promoters and epidermal growth factor stimulate anchorage-independent growth of adenovirus-tranformed rat embryo cells. Cell 18:695-705.
	76.	Fisher PB, Dorsch-Hasler K, Weinstein IB, Ginsberg HS (1979). Tumour promoters enhance anchorage-independent growth of adenovirus-transformed cells without altering the integration pattern of viral sequences. Nature 281:591-594.
	77.	Fisher PB, Goldstein NI, Weinstein IB (1979). Phenotypic properties and tumor promotor-induced alterations in rat embryo cells transformed by adenovirus. Cancer Res 39:3051-3057.
	78.	Fisher PB, Weinstein IB, Eisenberg D, Ginsberg HS (1978). Interactions between adenovirus, a tumor promoter, and chemical carcinogens in transformation of rat embryo cell cultures. Proc Natl Acad Sci USA 75:2311-2314.

NY02:443253.1

Examiner Mink Y Date Considered 6-17-04

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office	Atty. Docket No. A34586 – 070050.1668	Serial No. 09/648,310
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant Fisher *et al.*	
	Filing Date August 25, 2000	Group 1642
	Examiner Yu, M.	

*Exam. Init.	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
MY	79.	Bacchetti S, Graham FL (1977). Transfer of gene for thymidine kinase-deficient human cells by purified herpes simplex viral DNA. Proc. Natl. Acad. Sci. USA 74:1590-1594.
	80.	Fowler AV, Zabin I (1977). The amino acid sequence of beta-galactosidase of Escherichia coli. Proc. Natl. Acad. Sci. USA 74(4):1507-1510.
	81.	Tu SC, Waters CA, Hastings JW (1975). Photoexcited bacterial bioluminescence. Identity and properties of the photoexcitable luciferase. Biochemistry 14(9):1970-1974.
	82.	Armelin HA (1973). Pituitary extracts and steroid hormones in the control of 3T3 cell growth. Proc. Natl. Acad. Sci. USA 70:2702-2706.
	83.	Graham FL, van der Eb AJ (1973). A new technique for the assay of infectivity of human adenovirus 5 DNA. Virology 52:456-467.
	84.	Freireich EJ, Gehan EA, Rall DP, Schmidt LH, Skipper HE (1966). Quantitative comparison of toxicity of anticancer agents in mouse, rat, hamster, dog, monkey, and man. Cancer Chemother. Rep. 50 :219-244.

NY02:443253.1

Examiner Mi Yu Date Considered 6-17-04

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.